

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

Case No. 18-20489
Judge Thomas L. Ludington

JAMES D. PIERON, JR.,
Defendant.

_____ /

MOTION TO AUTHORIZE DISCLOSURE
OF GRAND JURY MATERIAL

NOW COMES the Defendant, James D. Pieron, Jr., and, for the reasons stated in the accompanying Memorandum, moves this Court to authorize the release of grand jury material for disclosure of the defense.

Defendant's local counsel has contacted the Government regarding this matter. The Government does not oppose this motion an Order authorizing the release of grand jury material provided that it is understood that the Government is not waiving its protections under the Jencks Act at this time.

Wherefore, Defendant moves this Court for an Order authorizing release of grand jury material to the Defendant.

Respectfully submitted,

MINNS & ARNETT

s/ Michael Louis Minns

Michael Louis Minns

State Bar No. 14184300

mike@minnslaw.com

Ashley Blair Arnett

State Bar No. 24064833

Ashley@minnslaw.com

9119 S. Gessner, Suite 1

Houston, Texas 77074

Telephone: (713) 777-0772

Kenneth R. Sasse P24365

Local counsel for James Pieron, Jr.

ksasse11@gmail.com

27 E. Flint St., 2nd Floor

Lake Orion, Michigan 48362

Dated: October 12, 2018

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
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UNITED STATES OF AMERICA,
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Case No. 18-20489
Judge Thomas L. Ludington

JAMES D. PIERON, JR.,
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**MEMORANDUM IN SUPPORT OF
MOTION TO AUTHORIZE DISCLOSURE
OF GRAND JURY MATERIAL**

Defendant James D. Pieron, Jr., through counsel, seeks an Order allowing disclosure by the Government of grand jury material in his case.

Defendant is charged, in one count, with willfully attempting to evade payment of income tax he allegedly owed for the tax years 2008 and 2009, through affirmative acts of evasion, in violation of 26 U.S.C. § 7201. In preparing his defense to this charge, Defendant is entitled to the discovery of various information and documents in possession of the Government.

The Government is presently in possession of material that is required to be disclosed under F.R.Crim.P. 16. For example, the Government apparently possesses numerous documents containing the information relied upon in its “Bill of Particulars” filed in this matter. Doc. No. 5. However, because material was

obtained through the grand jury, the Government has not yet disclosed significant material to the defense. It is understood that the Government does not oppose such disclosure provided it is done after entry of an order from this Court.

The disclosure of some material may be required and/or restricted by the Jencks Act, 18 U.S.C. § 3500. The timing of such disclosure, if not agreed upon by the parties, could be the subject of a future request to this Court. However, it is not intended to be the subject of this motion. Defendant only asks this Court to authorize the Government to disclose grand jury material to the Defendant so that he can begin to prepare his defense.

Respectfully submitted,

MINNS & ARNETT

s/ Michael Louis Minns

Michael Louis Minns
State Bar No. 14184300

mike@minnslaw.com

Ashley Blair Arnett
State Bar No. 24064833

Ashley@minnslaw.com

9119 S. Gessner, Suite 1
Houston, Texas 77074
Telephone: (713) 777-0772

Kenneth R. Sasse P24365
Local counsel for James Pieron, Jr.

ksassel1@gmail.com

27 E. Flint St., 2nd Floor

Lake Orion, Michigan 48362

Dated: October 12, 2018

CERTIFICATE OF SERVICE

I hereby certify that on October 12, 2018 I electronically filed the attached Motion To Authorize Disclosure Of Grand Jury Material with the Clerk of the Court using the ECF system which will send notification of the filing to all counsel of record included in the ECF system.

s/ Ashley Blair Arnett

Ashley Blair Arnett

State Bar No. 24064833

Ashley@minnslaw.com

9119 S. Gessner, Suite 1

Houston, Texas 77074

Telephone: (713) 777-0772

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